

JFW

**PATENT APPLICATION**



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Reinhart Boerner Van Deuren S.C.

By:

Antonia M. Holland  
Antonia M. Holland

Date: November 30, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**GROUP ART UNIT: 1772**

**EXAMINER: NASSER AHMAD**

In re application of: John P. )  
Downs et al. )  
 )  
 )  
Application No: 10/770,139 )  
 )  
 )  
Filed: February 2, 2004 )  
 )  
 )  
Attorney Docket No. )  
5398-CIP-CON3 )

For: THERMOPLASTIC ADhesive  
DISPENSING METHOD AND  
APPARATUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 30, 2004

**INFORMATION DISCLOSURE STATEMENT BY ATTORNEY**  
**REGARDING REFERENCES**

12/03/2004 GWORDOF1 00000026 10770139

01 FC:1806

180.00 OP

Sir:

On behalf of Applicant and pursuant to 37 C.F.R. § 1.97-.98, patent references that may be relevant are listed on Form PTO/SB/08A and are hereby presented for consideration.

Copies of the two foreign references are hereby provided.

Respectfully submitted,

BY Antonia M. Holland  
Antonia M. Holland  
Attorney  
Registration No. 53,840

Reinhart Boerner Van Deuren s.c.  
Attn: Linda Gabriel, Docket Clerk  
1000 North Water Street, Suite 2100  
Milwaukee, WI 53202  
414-298-8285  
**CUSTOMER NO. 22922**

CTPA  
DEC 03 2004  
PATENT & TRADEMARK OFFICE  
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: November 30, 2004.

Reinhart Boerner Van Deuren S.C.

By: Antonia M. Holland  
Antonia M. Holland

Date: November 30, 2004

## PATENT APPLICATION

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT: 1772

EXAMINER: NASSER AHMAD

In re application of:	)	For: THERMOPLASTIC ADHESIVE DISPENSING METHOD AND APPARATUS
John P. Downs et al.	)	
	)	
	)	
Application No: 10/770,139	)	
	)	
Filed: February 2, 2004	)	
	)	
Attorney Docket No.	)	
5398-CIP-CON3	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 30, 2004

### TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE MAILING DATE OF EITHER A FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR 1.97(c))

**NOTE:** "An information disclosure statement shall be considered by the Office if filed . . . before the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, provided the statement is accompanied by either a certification as specified in paragraph (e) of this section or the fee set forth in § 1.17(p)." 37 CFR 1.97(c).

**NOTE:** "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**NOTE:** "If information submitted during the period set forth in 37 CFR 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However,

*the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 CFR 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

**WARNING:** *"A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).*

### **TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:
  - (1) a final action under § 1.113 or
  - (2) a notice of allowance under § 1.311,whichever occurs first.

### **CERTIFICATION OR FEE**

2. Accompanying this transmittal is

*(check either A or B below)*

A.  a certification as specified in 37 CFR 1.97(e)

**OR**

B.  the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

### **FEE PAYMENT**

*(complete this item, if applicable)*

3. Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$180.00).

Fee due \$180.00

**METHOD OF PAYMENT OF FEE**

4.       Attached is a check in the amount of \$ 180.00.  
       Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate of this request is attached.  
If any additional fees are due, please charge Account \_\_\_\_\_

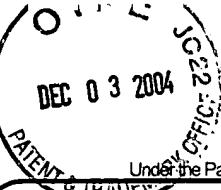
BY Antonia M. Holland

Antonia M. Holland

Attorney/Agent for Applicant

Registration No. 53,840

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1000 North Water Street  
Suite 2100  
Milwaukee, WI 53202  
414 298-8285  
Customer Number 22922

O  
DEC 03 2004

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of 2

**Complete if Known**

Application Number	10/770,139
Filing Date	02/02/2004
First Named Inventor	John P. Downs
Art Unit	1772
Examiner Name	Nasser Ahmad

Attorney Docket Number 5398-CIP-CON3

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		2,373,092	04/10/1945	Avery	
		2,754,994	07/17/1956	Cole	
		2,838,171	06/10/1958	Kaspar	
		2,912,140	11/10/1959	Cole	
		3,225,916	12/28/1965	Field, et al.	
		3,239,403	03/08/1966	Williams, et al.	
		3,267,623	08/23/1966	Block	
		3,308,002	03/07/1967	Bremer et al.	
		3,464,883	09/02/1969	Moline, et al.	
		3,582,438	06/01/1971	Harbour	
		3,619,324	11/09/1971	Sato, et al.	
		3,736,281	05/29/1973	Russell	
		3,741,486	06/26/1973	Kawamatu	
		3,741,786	06/26/1973	Torrey	
		3,881,041	04/29/1975	Glienke	
		3,969,181	07/13/1976	Seabold	
		3,997,702	12/14/1976	Schurb, et al.	
		4,002,794	01/11/1977	Schwarcz	
		4,100,852	07/18/1978	Hamisch, Jr.	
		4,116,746	09/26/1978	Hamisch, Jr.	
		4,211,805	07/08/1980	Chamberlin	
		4,294,357	10/13/1981	Stevens, et al.	
		4,387,831	06/14/1983	McNally	
		4,440,830	04/03/1984	Wempe	
		4,452,667	06/05/1984	Chang	
		4,537,934	08/27/1985	Fock, et al.	
		4,562,102	12/31/1985	Rabuse et al.	
		4,699,685	10/13/1987	Sato	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		GB2,361,442	10/24/2001	Fantas Tak Ltd.		
		EP1445226 A3	09/15/2004	Glue Dots Intl., Inc.		

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MWI1146769AMH:DMM 11/24/04

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

2

of

2

<i>Complete if Known</i>	
Application Number	10/770,139
Filing Date	02/02/2004
First Named Inventor	John P. Downs
Art Unit	1772
Examiner Name	Nasser Ahmad

Attorney Docket Number

5398-CIP-CON3

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		4,804,437	02/14/1989	Tirtoprodjo, et al.	
		4,820,446	04/11/1989	Prud'Homme	
		4,822,687	04/18/1989	Kessel, et al.	
		4,959,008	09/25/1990	Wasulko	
		4,961,804	10/09/1990	Aurichio	
		4,977,006	12/11/1990	Smith, et al.	
		5,049,434	09/17/1991	Wasulko	
		5,202,169	04/13/1993	Spendlove	
		5,254,206	10/19/1993	Wing	
		5,316,613	05/31/1994	Samuelson et al.	
		5,344,681	09/06/1994	Calhoun, et al.	
		5,456,792	10/10/1995	Rodriguez, et al.	
		5,489,453	02/06/1996	Friesch	
		5,683,545	11/04/1997	Goodwin, et al.	
		5,779,852	07/14/1998	Haney, et al.	
		5,875,715	03/02/1999	Hamisch, Jr., et al.	
		5,906,443	05/25/1999	Goodwin, et al.	
		5,910,227	06/08/1999	Mistyurik, et al.	
		5,934,189	08/10/1999	Mistyurik, et al.	
		5,935,670	08/10/1999	Downs	
		5,988,249	11/23/1999	Mistyurik, et al.	
		6,102,098	08/15/2000	Randazzo	
		6,230,780	05/15/2001	Rietheimer	
		6,319,442	11/20/2001	Downs	
		6,433,055	08/13/2002	Kleyer, et al.	
		6,640,864	11/04/2003	Downs	
		6,686,016	02/03/2004	Downs	

### FOREIGN PATENT DOCUMENTS

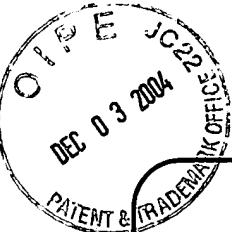
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> – Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/770,139

Filing Date

02/02/2004

First Named Inventor

John P. Downs

Art Unit

1772

Examiner Name

Nasser Ahmad

Attorney Docket Number

5398-CIP-CON3

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Transmittal of IDS Before Mailing Date of Final Office Action or Before Notice of Allowance Copies of Foreign Patent References
<b>Remarks</b>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Reinhart Boerner Van Deuren s.c.		
Signature			
Printed Name	Antonia M. Holland		
Date	November 30, 2004	Reg. No.	53,840

### CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Antonia M. Holland	Date	November 30, 2004

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U.S. PATENT & TRADEMARK OFFICE  
1000 LEAVITT ST., SUITE 100  
DENVER, CO 80202-3999

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete if Known	
Application Number	10/770,139
Filing Date	02/02/2004
First Named Inventor	John P. Downs
Examiner Name	Nasser Ahmad
Art Unit	1772
Attorney Docket No.	5398-CIP-CON3

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money  Other  None  
Order
 Deposit Account:

Deposit Account Number 18-0882

Deposit Account Name Reinhart Boemer Van Deuren s.c.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s) except for the issue fee  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1001	2001	790	395
1002	2002	350	175
1003	2003	550	275
1004	2004	790	395
1005	2005	160	80
SUBTOTAL (1)		(\$ 0)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20 **	=	Extra Claims	X	Fee from below	=	Fee Paid
Independent Claims	-3 **	=	0	X	0	=	0
Multiple Dependent				X		=	0

Large Entity	Small Entity	Fee Description	
Fee Code	Fee Code	Fee (\$)	
1202	2202	18 9	
1201	2201	88 44	
1203	2203	300 150	
1204	2204	88 44	
1205	2205	18 9	
SUBTOTAL (2)		(\$ 0)	

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1051	2051	130 65	Surcharge - late filing fee or oath
1052	2052	50 25	Surcharge - late provisional filing fee or cover sheet
1053	1053	130	Non-English specification
1812	1812	2,520 2,520	For filing a request for ex parte reexamination
1804	1804	920* 920*	Requesting publication of SIR prior to Examiner action
1805	1805	1,840* 1,840*	Requesting publication of SIR after Examiner action
1251	2251	110 55	Extension for reply within first month
1252	2252	430 215	Extension for reply within second month
1253	2253	980 490	Extension for reply within third month
1254	2254	1,530 765	Extension for reply within fourth month
1255	2255	2,080 1,040	Extension for reply within fifth month
1401	2401	340 170	Notice of Appeal
1402	2402	340 170	Filing a brief in support of an appeal
1403	2403	300 150	Request for oral hearing
1451	1451	1,510 1,510	Petition to institute a public use proceeding
1452	2452	110 55	Petition to revive – unavoidable
1453	2453	1,370 685	Petition to revive – unintentional
1501	2501	1,370 685	Utility issue fee (or reissue)
1502	2502	490 245	Design issue fee
1503	2503	660 330	Plant issue fee
1460	1460	130 130	Petitions to the Commissioner
1807	1807	50 50	Processing fee under 37 CFR 1.17 (q)
1806	1806	180 180	Submission of Information Disclosure Stmt
8021	8021	40 40	Recording each patent assignment per property (times number of properties)
1809	2809	790 395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	2810	790 395	For each additional invention to be examined (37 CFR § 1.129(b))
1801	2801	790 395	Request for Continued Examination (RCE)
1802	1802	900 900	Request for expedited examination of a design application

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

## SUBMITTED BY

Name (Print/Type)	Antonia M. Holland	Registration No. (Attorney/Agent)	53,840	Telephone	414-298-8285
Signature	Antonia M. Holland			Date	November 30, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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